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Our File No.
33317-110

November 12, 2024

BY ECF

Honorable Alan S. Trust
Chief United States Bankruptcy Judge
United State Bankruptcy Court
Eastern District of New York
Alfonse M. D'Amato Federal Courthouse
290 Federal Plaza
Central Islip, New York 11722

Re: Goldner Capital Management, LLC, et al.
Chapter 11, Case No. 24-73789 (AST) (Jointly Administered)

Dear Chief Judge Trust:

The Court designated me as the mediator to mediate disputes among the above jointly administered debtors, Samuel Goldner, the debtors' principal, and Capital Source LLC and The Capital Foresight Limited Partnership, pursuant to the order entered in these chapter 11 cases on October 23, 2024 (ECF no. 40). On October 28, 2024, the mediation parties and I, as mediator, agreed to and submitted a proposed amended order extending the deadline for concluding the mediation and requiring me to file a status letter today as to whether the mediation resulted in a settlement.

I received confidential mediation statements from the parties on October 31 and conferred with the parties separately. Yesterday, November 11, the parties and I had an in-person mediation session of more than 10 hours with a hybrid Zoom component to accommodate one of the parties who was ill. The mediation continued today by Zoom and by phone.

The parties have made substantial progress in resolving the matters in dispute during the mediation but have not reached a settlement.

Respectfully submitted,

/s/ Martin G. Bunin
Martin G. Bunin

MB:llf

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cc: Christine H. Black, Esq., by ECF
Liz Boydston, Esq., by ECF
Max Schlan, Esq., by ECF
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